

REMARKS

[0004] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 3-6, 11-12, 14-16, 20, 23 and 25-26 are currently pending
- No claims are canceled herein
- Claims 1, 3-4, 11-12, 14-15, 20, 23 and 25-26 are amended herein

[0005] Support for the amendments to claims is found in the specification at least at pages 14-18 and 25-26.

Claims 1, 3-6, 11-12, 14-16, 20, 23 and 25-26 are Rejected under § 112, 1st

Paragraph

[0006] Claims 1, 3-6, 11-12, 14-16, 20, 23 and 25-26 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly deleting various claim limitations from the independent claims which specified how the algorithm is initiated in these claims. (Office Action, page 14.) Applicant respectfully disagrees. Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claims 1, 12 and 23 in accordance with the proposed Examiner Amendments. Applicant thanks the Examiner for this direction. Dependent claims 3-6, 11, 14-16, 20 and 25-26 depend from the three independent claims and are allowable by virtue of their dependency on independent claims 1, 12 and 23. Applicant respectfully submits that these amendments render the § 101 rejection moot and requests that the rejections be withdrawn.

Claims 12, 14-16 and 20 Recite Statutory Subject Matter Under § 101

[0007] Claims 12, 14-16 and 20 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. (Office Action, page 14.) Applicant respectfully disagrees. Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claim 12 in accordance with the proposed Examiner Amendments. Applicant thanks the Examiner for this direction. Dependent claims 14-16 and 20 depend from the independent claim 12 and are allowable by virtue of their dependency on independent claim 12. Applicant respectfully submits that these amendments render the § 101 rejection moot and requests that the rejections be withdrawn.

Claims 1, 3-6, 11-12, 14-16, 20, 23 and 25-26 Recite Statutory Subject Matter Under § 101

[0008] Claims 12, 14-16 and 20 stand rejected under 35 U.S.C. § 101 as allegedly preempting a § 101 judicial exception and are directed to non-statutory subject matter. (Office Action, page 16.) Applicant respectfully disagrees. Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claims 1, 12 and 23 in accordance with the proposed Examiner Amendments. Applicant thanks the Examiner for this direction. Dependent claims 3-6, 11, 14-16, 20 and 25-26 depend from the three independent claims and are allowable by virtue of their dependency on independent claims 1, 12 and 23. Applicant respectfully submits that these amendments render the § 101 rejection moot and requests that the rejections be withdrawn.

Conclusion

[0009] Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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Representative for Applicant

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